

**From:** [Ansari, Ramin](#)  
**To:** [Fetcie, Katherine](#)  
**Cc:** [Kirby, Lisa](#); [Finnegan, Ann](#)  
**Subject:** RE: LANXESS - EPA Inquiry for 1020 King Georges Road, Fords, NJ (was "RE: Soil from 1000 Inman Avenue")  
**Date:** Friday, May 20, 2022 10:11:06 AM  
**Attachments:** [Enclosure A Manifest 0257\\_001.pdf](#)  
[Enclosure B COD FOR LANXESS - BROKER IEC.pdf](#)  
[Enclosure C Location of concrete work.xlsx](#)  
[Enclosure D SampDatashet \[Ni\\_Enhanced\].pdf](#)

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Ms. Fetcie,

Below are answers to your questions:

Question 1 -In your response below, what is meant by “non-TSCA PCB contaminated soil or water”? Please clearly explain what you mean by the term.

Answer: Soil or water containing less than 50 ppm of PCBs.

Question 2 - On manifest #022175003JJK you have listed “Soil, Non TSCA PCBs” and “Water, Non TSCA PCBs”, please clearly explain what you mean by these terms.

Answer: Soil or water containing less than 50 ppm of PCBs.

Question 3 - Where were all 59 drums of material disposed? Please provide certificates of disposal for all material.

Answers: The manifest indicates in Section 8 the disposal location. Section 20 confirms that they were received by the facility. The manifest copy is the return copy from the facility. The Manifest is attached as Enclosure A. The Certificate of Disposal is attached as Enclosure B.

Question 4 - Has Lanxess ever applied for or received an approval to conduct PCB remediation for this work?

Answer: LANXESS did not and was not required to, obtain US EPA’s prior approval because the work being performed did not constitute a PCB remediation project and was unrelated to the ongoing PCB remediation work being conducted at the facility under the US EPA-approved risk-based PCB remediation plan and the Administrative Consent Order with the NJDEP.

Specifically, LANXESS initiated a capital infrastructure construction project. The project included the removal of an aboveground storage tank, structural piling work, and placement of new concrete at the location shown in Enclosure C. As part of this project some soils necessitated removal for construction structural purposes. At the time this work commenced and because of the historic PCB contamination present at the site from prior owners’ activities, LANXESS anticipated the soils could contain low levels of PCBs.

Upon soil excavation, LANXESS handled these soils as construction derived waste bound for offsite disposal. In order to obtain approval for the off-site disposition of the removed soils, LANXESS profiled the soil drums by collecting samples for analysis. As you can see from the enclosed analytical data (see Enclosure D), PCBs were detected at varying concentrations (i.e., <50 parts per million [ppm], 50-500 ppm, and >500 ppm). LANXESS disposed of the soils in compliance with the 40 C.F.R. 761.60 requirements.

So, because LANXESS' project was a construction project, unrelated to the ongoing Weston Solutions Inc. (Weston) PCB remediation project being conducted at the site pursuant to a risk-based PCB remediation plan approved by US EPA and an Administrative Consent Order with NJDEP, the soils generated from this infrastructure project were not removed as part of a PCB remediation project. Accordingly, the PCB remediation waste notification requirements at 40 C.F.R. 761.61 were not applicable to this work.

In addition, neither US EPA's approved risk-based remediation plan nor the NJDEP Administrative Consent Order impose specific soil management requirements for construction or maintenance projects at the site. Finally, LANXESS notes that a Weston representative was present during portions of this project. LANXESS anticipates that Weston will continue to carry out further PCB remediation in the project footprint in accordance with the existing, US EPA-approved, risk-based PCB remediation plan and Weston's Administrative Consent Order with NJDEP.

Ramin

Ramin Ansari, M.S., L.P.G. (Indiana)  
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**From:** Fetcie, Katherine <Fetcie.Katherine@epa.gov>  
**Sent:** Monday, May 09, 2022 10:38 AM  
**To:** Ansari, Ramin <Ramin.Ansari@chemtura.com>  
**Cc:** Kirby, Lisa <Lisa.Kirby@chemtura.com>; Finnegan, Ann <Finnegan.Ann@epa.gov>  
**Subject:** RE: LANXESS - EPA Inquiry for 1020 King Georges Road, Fords, NJ (was "RE: Soil from 1000 Inman Avenue")

Mr Ramin and Ms. Kirby,

Thank you for providing this information.

We have a few follow up questions.

- In your response below, what is meant by “non-TSCA PCB contaminated soil or water”? Please clearly explain what you mean by the term.
- On manifest #022175003JJK you have listed “Soil, Non TSCA PCBs” and “Water, Non TSCA

PCBs”, please clearly explain what you mean by these terms.

- Where were all 59 drums of material disposed? Please provide certificates of disposal for all material.
- Has Lanxess ever applied for or received an approval to conduct PCB remediation for this work?

Feel free to contact me with any questions.

Thank you in advance for your timely response,  
Katherine Fetcie

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**From:** Ansari, Ramin <[Ramin.Ansari@lanxess.com](mailto:Ramin.Ansari@lanxess.com)>

**Sent:** Saturday, May 7, 2022 1:02 PM

**To:** Fetcie, Katherine <[Fetcie.Katherine@epa.gov](mailto:Fetcie.Katherine@epa.gov)>

**Cc:** Kirby, Lisa <[Lisa.Kirby@chemtura.com](mailto:Lisa.Kirby@chemtura.com)>; Fetcie, Katherine <[Fetcie.Katherine@epa.gov](mailto:Fetcie.Katherine@epa.gov)>

**Subject:** LANXESS - EPA Inquiry for 1020 King Georges Road, Fords, NJ (was "RE: Soil from 1000 Inman Avenue")

Ms. Fetcie:

In response to your questions below, we are providing the following information as a response to clarify any confusion.

As to your first paragraph:

- The manifest we have shows 59 drums, 49 of which were non-TSCA PCB contaminated soil or water.
- Please see attached return copy of the manifest.

As to your second paragraph and questions on manifests and the Weston relationship:

- Weston is performing PCB remediation work at the Lanxess site under a 2005 remediation agreement with LANXESS.
- Weston is performing their investigation/remediation under a 2005 risk-based PCB disposal approval from EPA.
- The source area in question is being addressed by Weston under the EPA approval, and in accordance with the Weston-LANXESS Remediation Agreement.
- The soil in question was generated as part of a LANXESS infrastructure improvement project, unrelated to remediation, where new concrete was installed after demolition, and soils were removed to make room for that new concrete.
- Because the soils that were removed appeared to be impacted, they were containerized, profiled, and disposed. The impacted soil is associated with the known PCB contamination on site discussed above.
- The infrastructure improvements were a LANXESS project, and since LANXESS initiated the soil removal, and it was not a part of remediation, LANXESS paid for the disposal of this excavated soil, and shipped it under a LANXESS manifest.

As to your third paragraph and questions about source location and concentrations:

- This location is part of AOC 4, as denoted by and being investigated/remediated by Weston under the EPA approval noted above.
- Please see the attached figure that notes the location of the soil excavation and concrete work within the footprint of the Weston remediation work.
- Please see the attached profile, chain of custody, and analytical report for the excavated soils.

Ramin

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**From:** Fetcie, Katherine <[Fetcie.Katherine@epa.gov](mailto:Fetcie.Katherine@epa.gov)>  
**Sent:** Wednesday, May 04, 2022 3:59 PM  
**To:** Ansari, Ramin <[Ramin.Ansari@chemtura.com](mailto:Ramin.Ansari@chemtura.com)>; Kirby, Lisa <[Lisa.Kirby@chemtura.com](mailto:Lisa.Kirby@chemtura.com)>  
**Cc:** Finnegan, Ann <[Finnegan.Ann@epa.gov](mailto:Finnegan.Ann@epa.gov)>  
**Subject:** RE: Soil from 1000 Inman Avenue

Oops!

I'm so sorry for putting the incorrect address in the subject line. I am referring to your 1020 King Georges Road site in Fords New Jersey.

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**From:** Fetcie, Katherine  
**Sent:** Wednesday, May 4, 2022 3:16 PM  
**To:** [ramin.ansari@lanxess.com](mailto:ramin.ansari@lanxess.com); [lisa.kirby@lanxess.com](mailto:lisa.kirby@lanxess.com)  
**Cc:** Finnegan, Ann <[Finnegan.Ann@epa.gov](mailto:Finnegan.Ann@epa.gov)>  
**Subject:** Soil from 1000 Inman Avenue

Mr. Ansari and Ms. Kirby,

Thank you for speaking with us today about certain remediation work conducted at the Lanxess facility in Edison, NJ. After reviewing a recent manifest from your site for 67 drums of PCB

contaminated soil, we would like to clear up some issues that arose regarding the current work.

EPA is fully aware that there is currently an approved remediation going on at the site. However, the responsible party for that work is Weston Solutions. Since these recent manifests for PCB waste have listed Lanxess as the generator, we would ask that you please explain this change. You may discuss any communication or agreement with Weston that may have occurred.

As part of your response, we would also ask that you identify the source of the waste involved. Please describe the exact location and situation of the PCB material, the source of PCB contamination if known, the concentration, and any inclusion in the approved remediation.

We appreciate your promptness in regards to this matter. If you have any questions on this matter, please feel free to contact me.

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